

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA  
FRESNO DIVISION

KRISTEN ALICIA DALE,

Plaintiff,

vs.

KILOLO KIJAKAZI

Acting Commissioner of Social Security,

Defendant.

) Case No.: 1:20-CV-00344-BAK (GSA)

)  
) STIPULATION & ORDER FOR  
) VOLUNTARY REMAND PURSUANT TO  
) SENTENCE FOUR OF 42 U.S.C. § 405(g)

IT IS HEREBY STIPULATED, by and between the parties, through their respective counsel of record, and with the approval of the Court, that this action be remanded for further administrative action pursuant to section 205(g) of the Social Security Act, as amended, 42 U.S.C. section 405(g), sentence four.

On remand, the Appeals Council will remand the case to an administrative law judge (ALJ) for a new decision. The Appeals Council will instruct the ALJ to obtain supplemental vocational expert testimony. The Appeals Council will instruct the ALJ to resolve the conflict between the DOT job descriptions and the RFC limitations, consistent with SSR 00-4p. The Appeals Council will instruct the ALJ to address the rebuttal evidence provided in the supplemental brief submitted by Plaintiff. The Appeals Council will instruct the ALJ to take further action, as warranted, to complete the administrative record, resolve the above issues, and issue a new decision.

The parties further request that the Clerk of the Court be directed to enter a final judgment in favor of Plaintiff, and against Defendant, reversing the final decision of the Commissioner.

Respectfully submitted,

1 Dated: February 15, 2022

/s/ Matthew Holmberg\*

MATTHEW HOLMBERG

Attorney for Plaintiff

\*as authorized via e-mail on February 15, 2022

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4 Dated: February 15, 2022

PHILLIP A. TALBERT

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8 By: /s/ Chantal R. Jenkins

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**ORDER**

Based upon the parties' Stipulation to Voluntary Remand Pursuant to Sentence Four of 42 U.S.C. § 405(g) and to Entry of Judgment ("Stipulation to Remand"), and for cause shown, IT IS HEREBY ORDERED that the above-captioned action is remanded to the Commissioner of Social Security for further proceedings consistent with the terms of the Stipulation to Remand. The Clerk of Court is directed to enter a final judgment in favor of Plaintiff, and against Defendant, reversing the final decision of the Commissioner

IT IS SO ORDERED.

Dated: **February 18, 2022**

**/s/ Gary S. Austin**  
UNITED STATES MAGISTRATE JUDGE